

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

**‘O’**

Case No.	2:22-cv-05214-CAS-MRWx	Date	November 25, 2024
Title	Armin Azod et al. v. James G. Robinson et al.		

Present: The Honorable CHRISTINA A. SNYDER

Catherine Jeang

Deborah Parker

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Armin Azod

David Arbogast

Amanda Fleming

**Proceedings:** ZOOM HEARING RE: PETITIONERS’ MOTION FOR FULL EXEMPTION FROM NOTICE OF ATTORNEY LIEN UNDER CAL. CODE CIV. PROC. § 708.450 (Dkt. 102, filed on September 5, 2024)

The Court has reviewed David Arbogast’s (“Arbogast”) notice of lien, dkt. 100, and first amended notice of lien, dkt. 107. The Court has also reviewed petitioners Armin Azod, Ramez Elgammal, Shantanu Sharma, Dong Zhang, and Peter John’s (“the Azod parties”) motion for full exemption from Arbogast’s notice of lien, dkt. 102, Arbogast’s opposition brief, dkt. 109, and the Azod parties’ reply brief, dkt. 111.

The Court finds that it lacks jurisdiction to determine the existence or validity of Arbogast’s purported attorney’s lien. See Carroll v. Interstate Brands Corp., 99 Cal. App. 4th 1168, 1172 (2002) (collecting cases and finding that “[a]ppellate courts have consistently held that the trial court in the underlying action has no jurisdiction to determine the existence or validity of an attorney’s lien on the judgment.”); Garcia v. Haskett, No. C 05-3754 CW, 2006 WL 1821232, at \*3 (N.D. Cal. June 30, 2006) (noting that plaintiff’s motion to extinguish a lien was previously denied because “under California law, in particular [Carroll], plaintiff could not move to extinguish the notice of lien... its validity would have to be determined in a “subsequent, independent action.”). In any event, there is a pending action in Los Angeles County Superior Court, Suretec Insurance Company v. David M. Arbogast, et al., Case No. 24TRCV03676, which seeks to compel Arbogast and the Azod parties to interplead and litigate these claims. See dkt. 113-1. Accordingly, the Court **DENIES** the Azod parties’ motion without prejudice.

IT IS SO ORDERED.

Initials of Preparer

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